



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,479	02/17/2004	Matthew Lee Withrow	TRAF001US0	1552

48746 7590 03/06/2009  
HULSEY IP INTELLECTUAL PROPERTY LAWYERS, P.C.  
919 Congress Avenue, Suite 919  
AUSTIN, TX 78701

EXAMINER
----------

CHEUNG, MARY DA ZHI WANG

ART UNIT	PAPER NUMBER
----------	--------------

3694

MAIL DATE	DELIVERY MODE
-----------	---------------

03/06/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/780,479	<b>Applicant(s)</b> WITHROW, MATTHEW LEE	
	<b>Examiner</b> MARY CHEUNG	<b>Art Unit</b> 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of the Claims***

1. This action is in response to the RCE filed on February 4, 2009. Claims 1-26 are pending and examined. Claims 1 and 14 are currently amended.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.
3. Applicant's arguments filed February 4, 2009 regarding claims 6-9 have been fully considered but they are not persuasive.

The applicant's argues that Admasu fails to teach setup of merchant account, and the applicant further argues the merchant account is not used to pay for services but is used for accept payments from users. The examiner respectfully disagrees. First, the applicant does not specially define what a merchant account is. Secondly, Admasu's account is also used for accept payment from users since Admasu explicitly states "The motorist also authorizes a replenishment of funds into the account" (see ¶ 27).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3694

5. Claims 1, 3, 6, 9-11, 13-14, 16, 19, 22-24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et al., US 2003/0055701 A1 in view of Admasu et al., US 2002/0032601 A1.

As to claim 1, Dutta teaches a method for settling a parking citation, comprising the steps of (abstract; *"parking citation" corresponds to the traffic citation in Dutta's teaching*):

- providing an on-line parking citation interface to a user (§ 40-41; *"on-line parking citation interface" corresponds to e-court server where the user can logon for the citation in Dutta's teaching*);
- connecting said on-line parking citation interface to a receiving application for receiving a predetermined minimal set of information relating to a parking citation (§ 41, 44-45; *"a receiving application for a predetermined minimal set of information" corresponds to the choice chosen by the accused such as pay the fine on-line in Dutta's teaching*);
- connecting said receiving application to a polling application for interfacing with a parking citation issuing authority, said polling application retrieving information associated with at least one parking citation from said parking citation issuing authority (§ 41, 44-45; *"a parking citation issuing authority" corresponds to DMS server in Dutta's teaching*);
- communicating said predetermined minimal set of information with said parking citation issuing authority in an information protocol usable by said parking citation issuing authority (§ 41, 44-45);

Art Unit: 3694

- identifying a parking citation from said parking citation issuing authority associated with said minimal set of information (§§ 41, 44-45).

Dutta teaches enabling the user to pay fines on-line (§§ 41). Dutta does not specifically teach identifying a parking citation from said parking citation issuing authority associated with said minimal set of information prior to accepting an electronic funds transfer, and electronically transferring funds at the direction of the user from a predetermined electronic funds source to an electronic account associated with said parking citation issuing authority for settling said parking citation. However, this matter is taught by Admasu as verifying the information associated with the parking by a remote parking authorization interface prior to accepting an electronic funds transfer, and electronically transferring funds at the direction of the user from a predetermined electronic funds source to an electronic account associated with said remote parking authorization interface for settling said parking fees (§§ 39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the parking citation in Dutta's teaching to be identified prior to accepting an electronic funds transfer, and electronically transferring funds at the direction of the user from a predetermined electronic funds source to an electronic account associated with said parking citation issuing authority for settling said parking citation as taught by Admasu for ensuring the settlement fines to be collected from a correct party.

As to claim 3, Dutta further teaches selecting said information protocols from a set of information protocols associated with said polling application (§§ 41, 44).

As to claim 6, Dutta does not specifically teach enabling a user to perform setup of merchant accounts. However, Admasu teaches this matter (§§ 25-27, 32). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user in Dutta's teaching to include the feature of setup merchant accounts for allowing the user conveniently pay for dues.

As to claim 9, Dutta teaches enabling a user the ability to perform no unwanted trips to the parking or municipal office (§§ 5-7).

As to claim 10, Dutta teaches enabling a user to perform a settlement transaction without the use of a payment envelope (§§ 5-7, 44).

As to claim 11, Dutta teaches enabling a user to interface a web portal for performing the traffic citation settlement transaction (abstract and § 44).

As to claim 13, Dutta teaches enabling a user to interface to existing parking management software associated with the issuing authority (abstract and §§ 40-41).

Claims 14, 16, 19, 22-24 and 26 are in parallel with the limitations in claims 1, 3, 6, 9-11 and 13; thus, they are rejected on the same basis.

6. Claims 2, 5, 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et al., US 2003/0055701 A1 in view of Admasu et al., US 2002/0032601 A1, in further view of MacKay, US 2003/0083928 A1.

As to claims 2 and 15, Dutta modified by Admasu does not specifically teach the step of directing settlement instructions from the user to a financial institution associated with said electronic funds source for processing approval to electronically transfer funds from said predetermined electronic funds source to said electronic account associated

Art Unit: 3694

with said parking citation issuing authority. However, this matter is taught by MacKay as the user uses credit card or debit card for making the payment of the parking citation, the receipt of payment is issued to the user, and the record of payment data is forwarded to the central processor (§§ 18-19). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teachings of Dutta modified by Admasu to include the feature of directing the settlement for effectively settling the parking citation.

As to claims 5 and 18, Dutta modified by Admasu does not specifically enabling a user to perform credit card processing authorization of credit and debit cards. However, MacKay teaches this matter (MacKay: §§ 16, 18). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teachings of Dutta modified by Admasu to include the feature of enabling a user to perform credit card processing authorization of credit card and debit cards for effectively settling the parking citation.

7. Claims 4, 7-8, 12, 17, 20-21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta, US 2003/0083928 A1 in view of Admasu et al., US 2002/0032601 A1, and in further view of Official Notice now admitted prior art.

As to claim 4, Dutta modified by Admasu does not specifically teach permitting the user to unsuccessfully attempt said step of electronically transferring funds not more than a predetermined number of times. To limit the number of times for permitting a user to attempt for unsuccessful actions (i.e. login) is well known in the art and Official Notice is taken for this limitation. It would have been obvious to one of ordinary skill in

Art Unit: 3694

the art at the time the invention was made to allow teachings of Dutta modified by Admasu to include the feature of permitting the user to unsuccessfully attempt of electronically transferring funds not more than a predetermined number of times for better preventing unauthorized usage of the funds.

As to claim 7, Dutta teaches enabling a user to receive email citation information (§ 38). Dutta modified by Admasu does not specifically teach enabling a user to receive an email settlement receipt and confirmation number. Send confirmation through email is well known in the art and Official Notice is taken for the limitation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teachings of Dutta modified by Admasu to include the feature of sending settlement receipt and confirmation number through email for allowing the user conveniently obtain the settlement result.

As to claim 8, Dutta modified by Admasu does not specifically teach enabling a user to check the status of a ticket on-line. Check status of information on-line is well known in the art and Official Notice is taken for the limitation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teachings of Dutta modified by Admasu to include the feature of enabling a user to check the status of a ticket on-line for fast and easy obtain the most updated status of the ticket.

As to claim 12, Dutta modified by Admasu teaches enabling a user to interface on-line for performing parking citation settlement transactions as discussed in claim 1 above. Dutta modified by Admasu does not specifically teach enabling a user to



Art Unit: 3694

perform a toll-free call settling the traffic citation settlement transaction. A toll-free call for settling transactions is well known in the art and Official Notice is taken for the limitation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teachings of Dutta modified by Admasu to include the feature of enabling a user to perform a toll-free call settling the traffic citation settlement transaction for providing the user alternatively method for conveniently settling the citation.

Claims 17, 20-21 and 25 are in parallel with the limitations in claims 4, 7-8 and 12; thus, they are rejected on the same basis.

### ***Inquire***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (571)-272-6705. The examiner can normally be reached on Monday – Thursday from 10:00 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (571) 272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)?

Art Unit: 3694

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(571) 273-8300      (Official Communications; including After Final  
Communications labeled "BOX AF")

(571) 273-6705      (Draft Communications)

/Mary Cheung/  
Primary Examiner, Art Unit 3694  
March 2, 2009